

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JODI IRWIN & CHRISTOPHER ROSS, SP 2013-MA-101 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 7.7 ft. from side lot line and 12.7 ft. from rear lot line. Located at 6503 Dearborn Dr., Falls Church, 22044, on approx. 27,611 sq. ft. of land zoned R-2. Mason District. Tax Map 61-1 ((11)) 412. Mr. Beard moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on February 5, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the land.
2. Mr. Beard went out and spent an extensive amount of time looking at this project and talking to neighbors.
3. Mr. Beard feels that this is really a fine addition to the neighborhood, as was pointed out by the Lake Barcroft Architectural Review Committee that spent an extensive amount of time researching it.
4. All the neighbors in the proximity have signed off on this.
5. What exists now obviously was never permitted properly.
6. This is going to be a nice improvement, not only for the applicants but for the neighborhood.
7. Topography being an issue, no other place is really satisfactory to put it.
8. The Board has determined that the applicants have satisfied all the six requirements of the Ordinance.
9. Specifically, as were addressed here today that staff had concerns about, after further testimony and further discussion, Standards 7, 8, and 9 have been addressed satisfactorily.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.

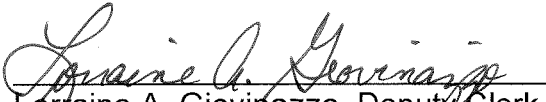
2. This special permit is approved only for the location of the proposed garage addition (approximately 1,074 square feet), as shown on the plat prepared by Scartz Surveys, dated July 17, 2013, as revised through September 20, 2013, submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (3,672 square feet existing + 5,508 square feet (150%) = 9,180 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall generally be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. The applicant shall install shade tolerant evergreens adjacent to the north and east sides of the addition, along the length of the addition, which may include but not be limited to holly and rhododendrons.

This approval, contingent on the above-noted conditions, shall not relieve the applicant for compliance with the provisions of any applicable ordinance, regulations, or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 4-3. Mr. Hammack, Mr. Byers, and Mr. Hart voted against the motion.

A Copy Teste:


Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

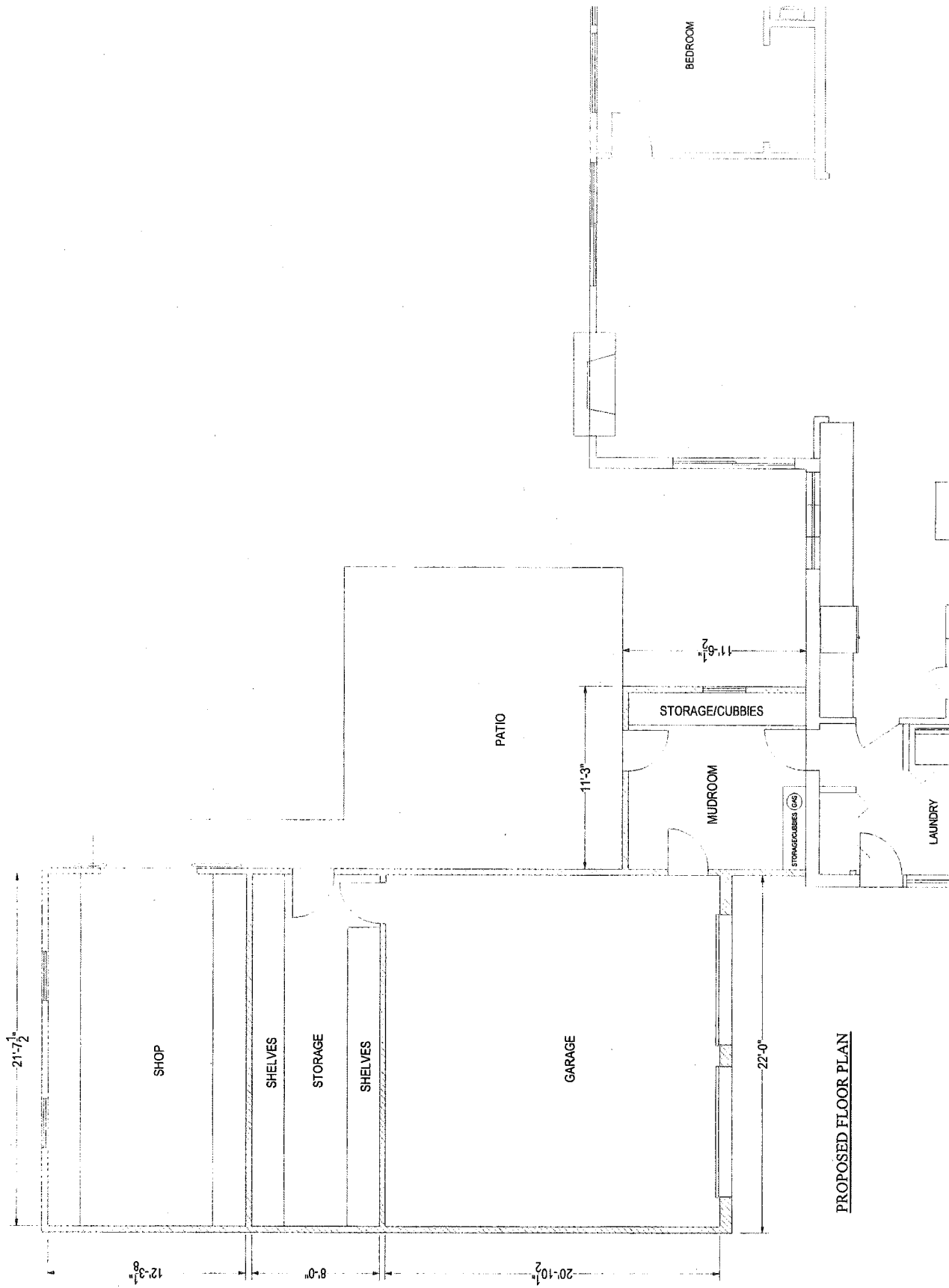
County of Fairfax
Commonwealth of Virginia

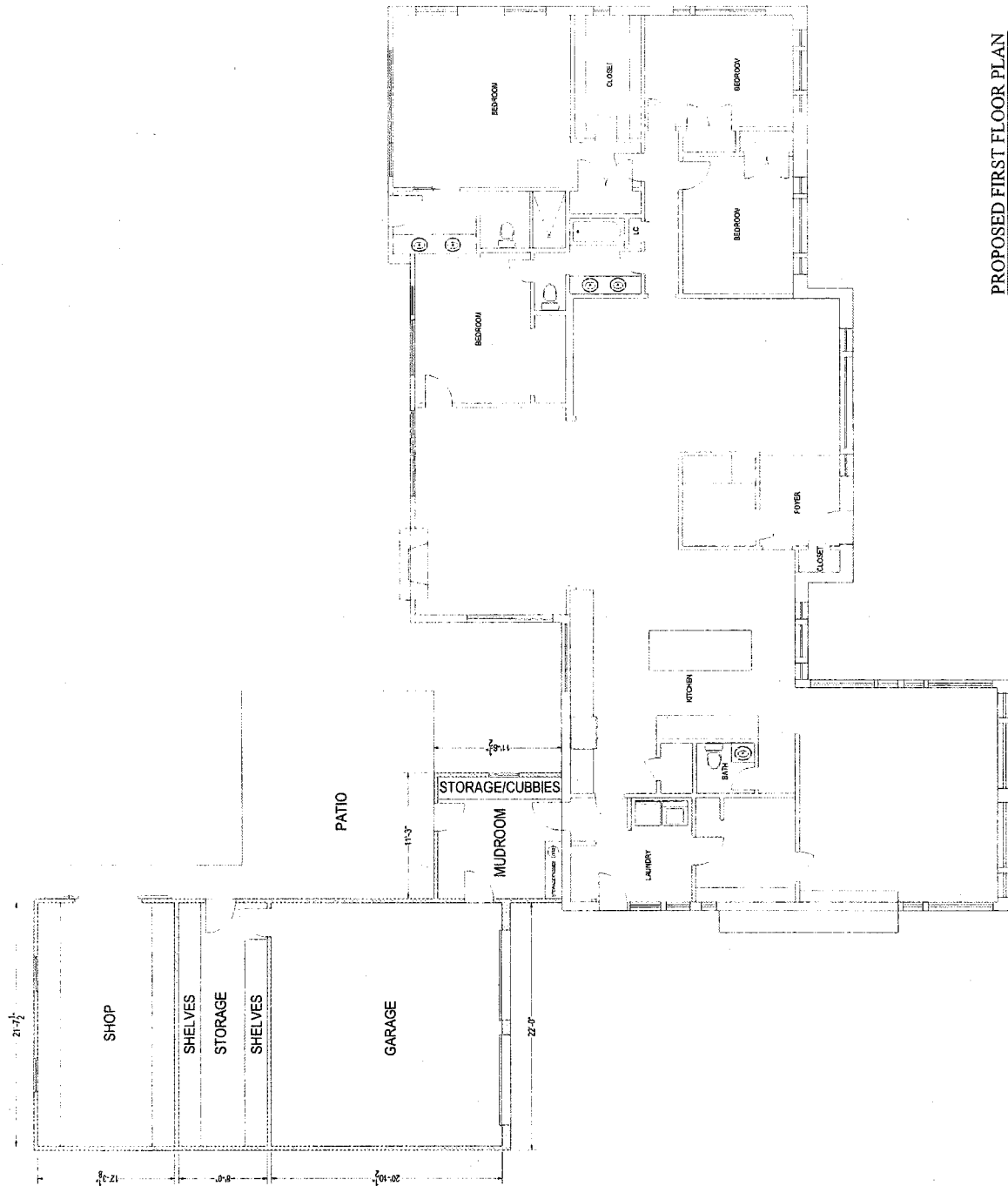
The foregoing instrument was acknowledged before me this 11 day of
February, 2014.


Notary Public

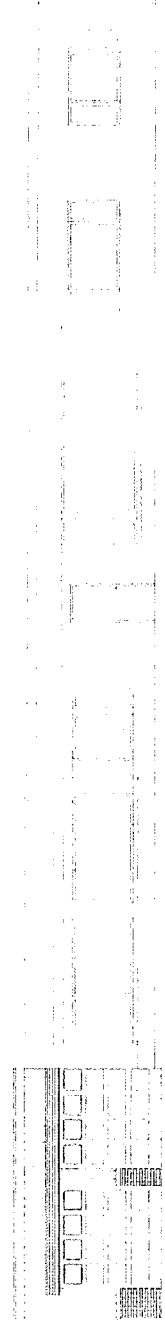
My commission expires: 9-30-2017



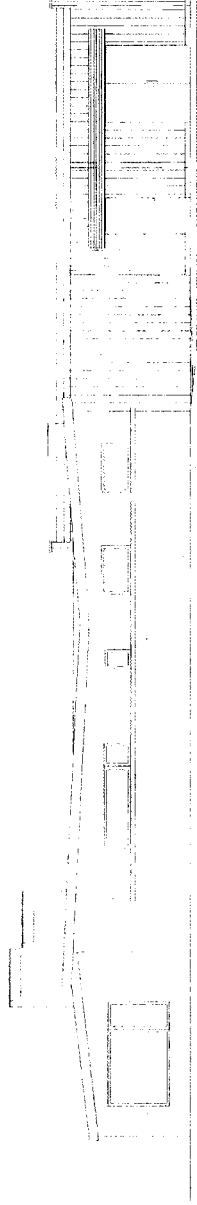




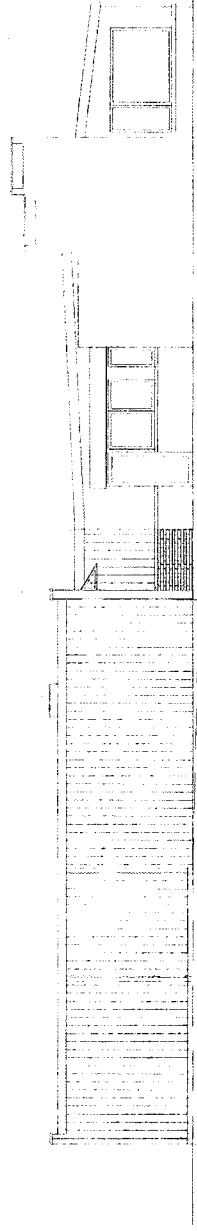
PROPOSED FIRST FLOOR PLAN



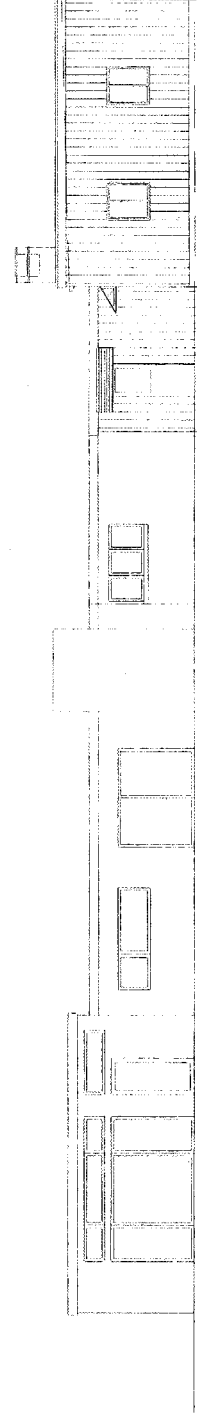
FRONT ELEVATION



LEFT SIDE ELEVATION



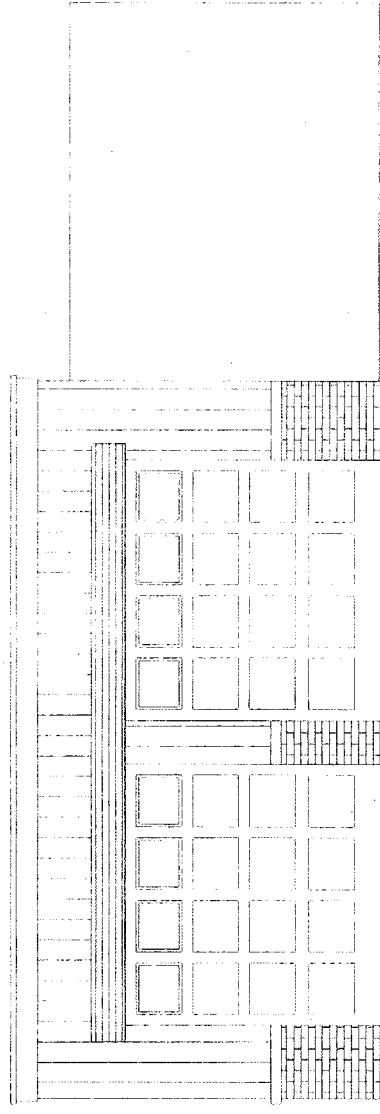
RIGHT SIDE ELEVATION



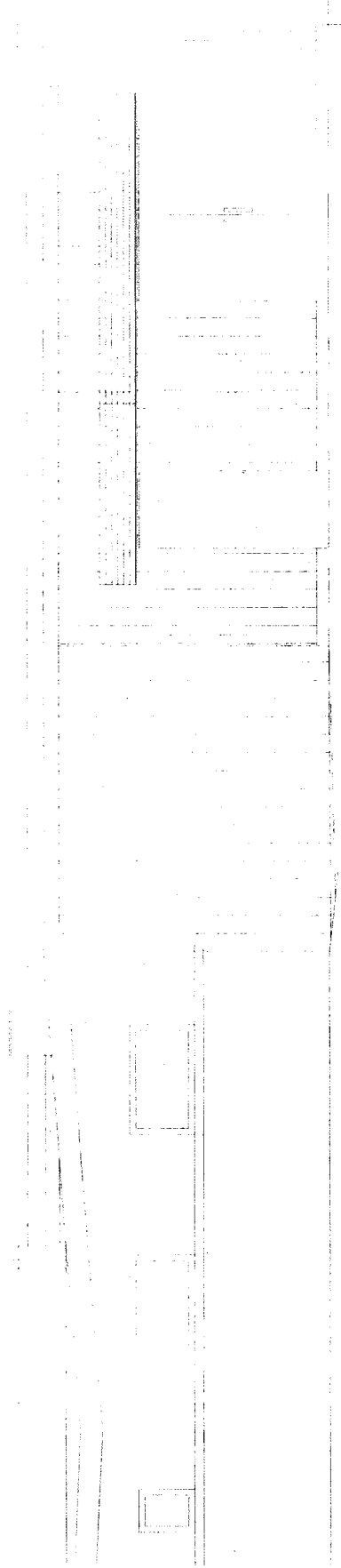
REAR ELEVATION



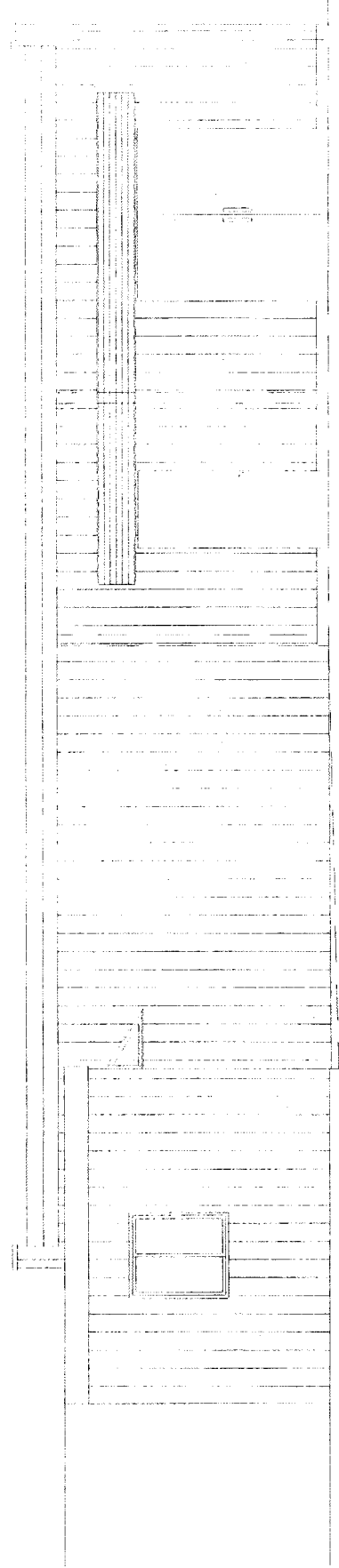
FRONT ELEVATION



FRONT ELEVATION (UNOBSTRUCTED VIEW)



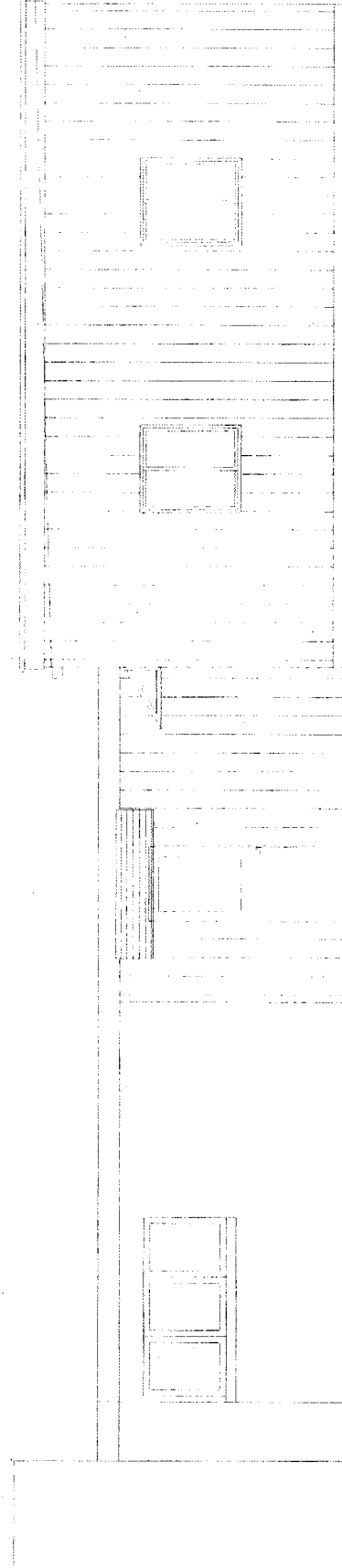
RIGHT SIDE ELEVATION



RIGHT SIDE ELEVATION (UNOBSTRUCTED VIEW)



LEFT SIDE ELEVATION



REAR ELEVATION